Title: Further Discussion on the Representation of the People (Amendment) Bill, 1999 (Insertion of new sections 26A and 26B) moved by Dr. Raghuvansh Prasad Singh on 25th February, 2000. (Concluded)

MR. CHAIRMAN: The House shall now take up further consideration of the Bill. Shrimati Jayashree Banerjee to continue her speech. I think she is not present in the House now. So, I will call Shri Ramesh Chennithala to speak.

SHRI RAMESH CHENNITHALA (MAVELIKARA): Mr. Chairman Sir, I rise to support the Bill moved by Dr. Raghuvansh Prasad Singh.

India is the largest democratic country in the world. India can be legitimately proud of its being the largest democracy in the world. The success of our democracy is demonstrated by the successful conduct of a series of elections in our country. Even though illiteracy and backwardness are existing in our country, we are in a position to conduct a series of elections without trouble.

Holding an election is not a joke. It is a very serious and also a costly affair. 5.5 lakh polling stations in 25 States and 7 Union Territories need three million army of personnel for conducting this election.

We are now witnessing frequent parliamentary elections in our country. This is a very serious matter which involves crores and crores of money from the exchequer. Holding elections is a sky-high matter, particularly holding in snow clad mountains in the North, tiny islands in the South, thick forests in the East and massive deserts in the West. It is a Herculean task. I would like to appreciate our election machinery because they are conducting frequent elections in country.

From 1976 onwards, there has been a serious thought of reviewing the electoral system in our country. A lot of attempts were made towards serious electoral reforms in our country. The latest one being the Dinesh Goswami Committee which was appointed by the House. The Dinesh Goswami Committee, in which the present Home Minister was also one of the Members, submitted its report with elaborate suggestions. The main question before us is how to hold elections in a free and fair manner. A lot of serious complaints are coming up during every election. How can we ensure free and fair elections in our country? The role of money and muscle power is increasing like anything. Criminalisation of politics is one of the biggest issues concerning every patriotic citizen in our country. Today, we are shocked to note that certain elected representatives are involved in criminal cases and even some of them are convicted and sentenced. It is unfortunate to note these things. How can we prevent them? We have to think very seriously about this.

The role of money and muscle power has become a very serious issue. In every election, even though we have to file returns, honestly speaking, there is no comparison between the returns and the actual money that we are spending. Expenditure in every election is going up. Those who have got enough money or more money can win elections. This is the unfortunate situation prevailing in the country. Those who have more muscle power can win elections. As has been rightly pointed out by Dr. Raghuvansh Prasad Singh, booth-capturing has become a serious issue nowadays. Shri Dasmunsi also rightly pointed out in his speech that he was defeated thrice only because of malpractices in counting of votes and capturing the polling booths. This is happening in States where there are literates also. In the last parliamentary elections, a State like Kerala which has 100 per cent literacy, had witnessed large scale booth-capturing. We can able to see that the police on duty in the polling booths acted in partisan manner that even some workers of a political party entered the polling booth and threating officials.

They had captured the booth and polled the votes. We had written to the Election Commission. We raised this matter before the Election Commission so manytimes.. But nothing has happened. My point is that the elections should be free and fair. How can we ensure free and fair elections? How can we weed out the elements which are trying to capture the booths and misuse the official machinery? This is one of the major issues.

1516 hours (Dr. Raghuvansh Prasad Singh - *in the* Chair)

Those who are in power are misusing the Government machinery. They are trying to capture the booth with the help of the official machinery. Therefore, free and fair elections are not taking place. The party which is in power is really misusing the official machinery and it is manipulating the media. It is not giving opportunities for other candidates to propagate and place their views before the people. The Governmental machinery is mis-utilised. It is trying to terrorise the other candidates. How can we eliminate such activities? Can we rectify these lacunaea? So, a serious thought should be given to these issues.

Next, I would like to state that non-serious candidates are still there. Even though we have raised the deposit amount, we can see there are non-serious candidates even now. The Election Commission is also not able to monitor the election process effectively. As I mentioned earlier, this is a vast country. India is one of the biggest democracies in the world. With an Election Commission of two or three cannot monitor the entire process

effectively. So, the Dinesh Goswami Committee had recommended the appointment of four Regional Election Commissioners for properly monitoring the elections when it is needed. The Committee had rightly pointed out the appointment of Regional Commissioners for different zones. This is also one of the suggestions given for the effective functioning of the Election Commission not as a permament one. If this is accepted, the Commission can monitor the entire election process effectively. It can monitor and rectify the lacunae then and there.

About re-polling also, if powers are given to the Regional Commissioners, they can order re-polling on the spot. Nowadays, the Election Observers are present in different booths and different districts to monitor the election process. So, authority should be given to those people for taking action immediately then and there. They have no powers to take action now. They have no authority to take immediate steps for ensuring free and fair elections.

Sir, I do not want to take much time of the House. The whole idea behind this Bill is to ensure free and fair elections. A time has come for implementing the Dinesh Goswami Committee Report *in toto*. In the light of that Report, the Government should come forward with a comprehensive legislation to ensure free and fair elections in our country. The fact is that for the last fifty years, we are conducting so many elections. We know the areas where we have to lay more emphasis. We also know what are the problems existing.

Which are the lacunae that are threatening the conduct of free and fair elections? It is the duty of the Government to come forward with a comprehensive legislation on the basis of the Report submitted by late Dinesh Goswami.

श्री प्रियरंजन दासमुंशी (रायगंज) : सभापति महोदय, पिछले शुक्रवार को भी मैंने जिक्र किया था कि प्राइवेट मैम्बर्स बिल के ऊपर जब महत्वपूर्ण चर्चा होती है तो उस चर्चा के समय विभागीय दफ्तर के मंत्री का हाउस में रहना जरूरी है ताकि वह सोच-समझ कर जवाब दें और उसकी कार्रवाई करें। मैंने पहले भी देखा कि गृह मंत्री और कानून मंत्री की तरफ से एक भी मंत्री नहीं है। आज मेरा अनुरोध है कि पहले यह स्पष्टीकरण करें कि कौन सा दफ्तर इसका जवाब देने के लिए जिम्मेदार है, गृह मंत्री और लॉ मिनिस्टर। अगर लॉ मिनिस्टर है तो उनकी तरफ से कौन जिम्मेदारी लेकर आया है और गृह मंत्री है तो उनकी तरफ से कौन जिम्मेदारी लेकर आया है, क्योंकि प्राइवेट मैम्बर बिजनेस की मर्यादा को हम छोटा नहीं करना चाहते हैं।

MR. CHAIRMAN : Now, we take up introduce of Bills. Item No.3 − Shri Vilas Muttemwar.

15.23 hrs.

SHRI P.H. PANDIYAN (TIRUNELVELI): Mr. Chairman, Sir, thank you for having given me this opportunity to express my views on the Representation of the People (Amendment) Bill, 1999.

We all know, as parliamentarians, that conducting elections is a very costly affair. Money power plays an important part in elections; muscle power also plays an important part in elections. Money power plays a part in procuring voters or transporting voters or in casting bogus votes. Muscle power also equally plays a part to procure voters, also to capture the booth, and to rig in a particular booth. The Representation of People Act has no teeth. With this Act, the authorities are merely doing the *post-mortem* job. Once the election is over, the defeated candidate has no option but to file an election petition which will take at least four or even five years to be dispose of. In some cases, it is not even disposed of. Though the Representation of the People Act stipulates that an election petition should be disposed of within six months, it was not disposed of in six months.

Japanese Parliament, Diet, decides the fate of election petitions. They entertain the election disputes. Election disputes are not agitated before a court of law.

Recently, in 1988, in the Parliamentary elections, it was reported in *"The Hindu"* newspaper that bogus voters were transported from different parts to the city of Chennai. The buses were also portrayed in *"The Hindu"* newspaper. Nobody was able to take any action.

In the recent by-election to the Tamil Nadu Assembly, where I was put in-charge on behalf of my party, I was able to witness large scale booth capturing. Booth capturing in a particular booth can be assessed by the fact that there would be higher percentage of polling in that booth. Though the average percentage of polling in the constituency, as a whole, of Trichy, where I was put in-charge by my party, was 46 per cent, in 52 booths the percentage of polling was more than 70 per cent and in some booths it was even 80 per cent. The Secretary of the Election Commission came to conduct an on-the-spot inquiry into the incidents of booth capturing and stayed the counting for five days. When he came to conduct the inquiry, it became a political affair. Then, the contesting candidates resort to large-scale propaganda on the basis of caste, religion and also the place of birth against one another. Though the law states that this sort of propaganda cannot be carried on, it is usually resorted to by the candidates and even though the Election Observers are witnessing it, they normally do not take any action. So, I would appeal that stringent provisions should be made in the Representation of the People Act to curb booth capturing and also

the propaganda based on caste, religion, place of birth etc.

Now, I come to aspects like filing of nomination paper, scrutiny, electioneering, counting etc. I have contested in seven elections so far and I could see that non-serious candidates are allowed to contest only in order to take more counting agents inside the counting hall. If you have more number of non-serious candidates who are fielded by you, in your favour, you can take the election agents of those candidates inside the counting hall. They will disturb the counting process and also meddle with ballot papers. If there is a margin of difference of only 100 or 200 votes between a winning candidate and the candidate who comes next to him, then, at the crucial time those agents will meddle with the ballot papers. So, I would suggest that non-serious candidates should not be allowed to contest the elections, but it should not be done by increasing the amount of deposit, because they will definitely be able to pay the sum of Rs.10,000 as deposit. Sometimes, a serious candidate will put up 10 non-serious candidates and pay the deposit amount for them, because it will cost him only Rs. 1 lakh.

Then, if you see that these non-serious candidates are able to secure only 100 or 150 votes at the end of the first round of counting, then these non-serious candidates should be immediately sent out of the counting hall. Why should they be allowed to remain in the counting hall till the declaration of the result? If this is done, then the two serious candidates will be able to get justice from the Returning Officer, because he will also be in a predicament, not being able to favour this side or that side and I was a witness to that on two occasions, once in 1981 and again in 1989.

The counting, normally, starts at 8 o'clock and it goes on continuously till the declaration of the result. During the lunch time itself, the results will be known, because the results are announced on both television as well as radio and the whole State will know as to who is going to form the Government. Then, the whole set of Presiding Officers and the Returning Officers will be changing sides accordingly. So, there must be an independent agency to monitor the election process. Before the elections, the Election Commissioners talk of strictly enforcing rules and regulations. It is all for publicity, it is populism, but they are not able to do it actually. They have said that there should not be criminalisation of politics. They have said that without understanding the criminal jurisprudence. For example, let us say that I am charged by a Sub-Inspector on a trivial offence.

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Suppose a first-class Magistrate convicts, do you mean to say that I end up with disqualification? It is a court of the first instance. There is a higher court − the Apex court. Unless and until it is decided by the Apex court, it is not a conviction at all. The Supreme Court in a decision have said that the laws occur to a defeated candidate on account of conviction if he has a chance of an appeal. If he has a chance of winning an appeal, it cannot be compensated. That loss cannot be compensated if he wins that appeal.

The Supreme Court had said that unless and until it confirms the conviction of any lower court, it is not a conviction. The Election Commission without understanding the criminal jurisprudence have said about criminalisation. There are certain offences. That is a different matter. But this view should firstly be routed through the Parliament. It cannot be routed through the Election Commission. The Election Commission is a Wing of our Law Department. Though it is claiming to be independent yet it is not independent. How can the Election Commission be independent? I know how they behave during an election, how they behave after the election, and how they behave after a change of Government at the Centre or even in the States. The Chief Electoral Officers or the Returning Officers are not so independent. Even the Returning Officers are not independent while declaring the results of an election. If there is a tussle of 100 or 50 votes, they will say: "Look here. I order recounting of these 100 votes or 200 votes."

So, at this juncture, I would like to urge that this Government should take immediate measures to hold free and fair elections. How can there be free and fair elections unless the cooperation of all the parties is ascertained? Unless the views of the parties are ascertained, you cannot have free and fair elections. Every party wants to win the elections. The polarisation of forces is like that. It is not based on principles. They want to enter into the House. That is all. Only after entering into the House, they talk of principles. So, their views should be ascertained.

The manifesto should also be examined by the Election Commission. The election manifesto is not enforceable. They pre-suppose us. They give all sorts of sugar-coated assurances. They give full-page advertisements in the *Hindu*, the *Times of India* and in other newspapers. So, the manifesto is not enforceable. After that, they forget about the manifesto. This is revealed to electorate just like non-banking financial institutions saying that they would give 36 per cent interest. This is a political way of doing things. So, the Election Commission needs the help of the Central Government. In the absence of powers from the Central Government, the Election Commission cannot do anything. It is a small office. I have been to that office once. They cannot enforce anything. They have no powers. Even if they stop counting or if they ask, look here, we will stop election for some time, the next day, they will be influenced. They are liable to be influenced. They are not independent. They claim to be independent. But they are not at all independent. ...(*Interruptions*) It is only a body politic because that position is different. They are being selected. The Secretary is selected as an Election Commissioner. He owes his allegiance to the ruling party. He is not appointed from the heavens. He is a human being. It is a human element. Wherever the human element is involved, it is likely to be influenced. They are not above prides and prejudices. So, in that way, you must select the Election Commissioner. That is why the Prime Minister and the President should have a large view of things. They should have frank views. They cannot suddenly say that so-and-so is recommended for appointment. Just like the Senate, the name should be routed through the Parliament. Even in the American Senate, the names for appointment of the Supreme Court Judges are routed through the Parliament. Here, they are appointed while sitting somewhere. The Parliamentarians are going after them.

We have given up our powers. If the sovereignty of this House, ultimately, is maintained and if the names are routed through this House, then we can debate on their conduct, on their independence, on their antecedents. We may know their antecedents. It is a constitutional position, it is not an ordinary position. You cannot change it immediately. There are protections to their offices. So, the Central Government is in the pedestal of these: the Prime Minister, the President, Chief Justice of India, Supreme Court and High Court Judges, and parliamentarians.

I feel that parliamentarians have little duties. We do not have any public duty to perform, though we are elected. For the purpose of provisions in the Corruption Act, we are declared as public servants and not for any other purpose. So, the Members of Parliament should also have a say. They must have the main say in all constitutional appointments. If the names of judges are recommended and if their appointment is made transparent, then the right man will come for the right job and proper man for the proper job.

Now, they come through backdoor or through some influence, they are able to get it and we cannot debate on that. But you can debate on the functioning of the Government. The Government can also debate on the functioning of the past Government, sitting in the Opposition. So, I would say that if the election is not free, there is no democracy.

I plainly say that I have lost faith in this process. In my first election in the year 1977, I spent Rs.25,000 only. That is all. In my second election I spent Rs.50,000. I did not spend much. I have seen and virtually in this election I have lost faith...(*Interruptions*) Yes, I succeeded.

SHRI PRIYA RANJAN DASMUNSI : We should have District Magistrate from other State because he is always loyal to the Chief Minister. The Returning Officer should also be from another State.

SHRI P.H. PANDIYAN : The Presiding Officers should be from other State...(*Interruptions*) I did not exceed my limit. Had I exceeded my limits in 1991 and 1996...(*Interruptions*)

SHRI VAIKO (SIVAKASI): He has not exceeded, but even if someone exceeds his limit, he cannot admit the facts here.

SHRI P.H. PANDIYAN: I did not exceed my limit of expenses. They must believe me. We lost faith.

SHRI PRIYA RANJAN DASMUNSI : Sir, in Tamil Nadu, if you take the cutest of every party together, there will be a positive case under Environment Law because one-fourth of the products of the entire forest of India is required for the cutest of the leaders in Tamil Nadu. They may belong to any party. They have huge cut outs there in Tamil Nadu. I think, it is a gross violation of the Environment Law.

SHRI VAIKO : Sir, his party also follows the same practice there.

SHRI PRIYA RANJAN DASMUNSI : I said all the parties...(*Interruptions*)

SHRI P.H. PANDIYAN Sir, the newspapers, magazines, electronic media publish, in advance, the results of the elections through Exit Polls. The matter went up to Supreme Court. Exit Poll has an impact on the poor electorate. If Exit Polls results are published a day or two days before election, naturally people will be influenced.

My friend has written about the delay in disposal of election petitions. Even in my election case, in 1998 on April 24, the judgement was reserved. It was delivered in the year 1999, on 28th December.

It was after one year and nine months. That is the best ground to get an appeal admitted and get it stayed. In the meantime, I have come to this House.

Then, I come to registration of parties. Some parties are registered under the Societies Registration Act. Some parties are registered under the Conduct of Election Rules, 1968. Before getting a Party registered, you must see the views and principles of the Party to which they want to register, conduct of the leader and his antecedents. Now, it is very easy to float a party. You can float a party, put all your black money, and then you can protect yourself. That party may get one or two seats or may not get any seat. In such cases, I would appeal to the Central Government and not to the Election Commission because it is a body politic. We have to believe a Government, we have to believe Parliament, and we have to believe the Supreme Court. These are all constitutional functions, which have emanated from the people.

If I lost faith in Parliament, it is a fate. If I lost faith in the Supreme Court, it is a fate. If I lost faith in an institution, it is a fate. There is no remedy to it. It is up to the individuals who occupy those positions to remedy the situation. It is up to the individuals who occupy those positions to satisfy the people. It is up to the individuals who occupy those positions to serve the people.

Though, the Election Commission claims to be independent, it is not. Mr. Law Minister, you are aware as to how the Election Commission is constituted. Before appointment, they will be different. After appointment, they will be different. Sometimes they toe in line with the ruling party. So many Circulars are issued during elections.

Once the Chief Election Commissioner had said, `The Election Commission itself is contemplating of reserving 15 per cent seats to women." Take the case of Mohinder Singh *versus* the Union of India. The Election Commission would not have studied the legal position. Article 324 gives ample powers, plenary powers to the Election Commission. The Election Commission has got ample and plenary powers under article 324. This has been interpreted by the Supreme Court in the case of Mohinder Singh *versus* the Union of India, wherein the Supreme Court had said that they can superintendent and they can conduct the elections as they like. Under that provision, if the Election Commission today says, `I am allocating 15 per cent to women", then you cannot challenge that. Without knowing the principle of the Supreme Court"s decision, he had announced that. It is the only leading case, where article 324 had been widely interpreted.

Article 324 gives blanket powers to the Election Commission to pass any order they like till the declaration of results. They can command parties and they can order parties. So, I appeal to the Law Minister to apprise the Election commission, through you, about Mohinder Singh"s case and ask them to remedy all the situations. After that, let us have a free, fair, uninfluenced, non-corrupt, and smooth elections at least for another five years.

There are law-breakers. I have seen so many business people who have wine shops and who are contractors. They have come into the fray. A lawyer cannot face a contractor. A doctor cannot face a contractor. A doctor or a lawyer is getting a little money but if a road contractor gets a project of 200 kms contract, he gets more money. So, they must see the antecedents of the individuals even at the time of filing of nominations. Now, they see whether his name is in the electoral list or not. That is all. Their functions ends. They cannot go into it. They cannot conduct a roving inquiry. A roving inquiry is required even at the time of filing of nominations.

Now, for criminalisation, the Election Commission has said that for these types of individuals, a roving inquiry should be done even at the time of filing of nominations.

With these words, I support this Bill.

श्री शिशराम सिंह रवि (बिजनौर) : माननीय सभापति महोदय, आपने मुझे चुनाव सुधार नियमों के विषय में बोलने का मौका दिया, इसके लिए मैं आपका आभारी

हूं। मैं प्रथम ्बार चुना्व जीत कर आ्या हूं इसलिए चुना्वों में जो ्सम्स्याएं का्र्यकर्ताओं, जनता के प्रतिनिधि्यों और जनता के पिछ्ड़े और गरी्ब लोगों के ्सामने आती हैं, मैं उनके वि्ाय में ्बताना चाहता हूं।

महोद्य, इ्स दे्श को आजाद हुए 53 व्र्ा हो गए और दुनि्या का ्यह ्सब्से ्बड़ा प्रजातंत्र कहा जाता है और है ्भी, परन्तु आज ्यह देखकर ्बड़ा अफ्सो्स होता है ज्ब गां्व के गरी्ब, पिछ्ड़े और कमजोर त्बके के लोगों को, गिने-चुने लोग धन और ्बल के ्बूते पर उनके ्वोटों का दुरूप्योग करके, प्रजातंत्र में, उन्हें इच्छा के अनुरूप ्वोट देने ्से रोकते हैं। इ्समें प्रारम्भिक गलति्यां ्वोटर लि्स्ट ्से होती हैं। ्वोटर लि्स्ट अक््सर ्यह होता है कि गां्वों में प्रधान अध््यापक, स्हा्यक अध््यापक और लेखपाल को दे दी जाती है। ्वह कि्सी एक चौपाल पर ्बैठकर अपनी इच्छा के अनुरूप ्वोटों को ्भर देता है। उ्सके ्बाद ्वोटर लि्स्ट तै्यार होकर ज्ब प्रद्र्शन के लिए जाती है तो उ्सका के्वल नाममात्र ही प्रद्र्शन होता है। ्वह वि्द्याल्यों में ले जाकर रख दी जाती है और उ्सका प्रका्शन कर दि्या जाता है। ्यहां तक देखा ग्या है कि गरी्ब, पिछ्ड़े त्बके और अनुसूचित जाति के लोगों के ्सौ-्सौ ्वोट एक ही ्साथ ्वोटर लि्स्ट में कम पाए जाते हैं। इ्से ध््यान में रखते हुए, ज्ब ्वोटर लि्स्ट का स्त्यापन एवं प्रकाश्न हो तो गां्वों, मोहल्लों में और गरी्ब ्बस्ती में डुगडुगी पिट्वा कर ्वहां पूरा प्रचार कि्या जाना चाहिए कि आपकी ्वोटर लि्स्ट गां्व और मोहल्ले में आ गई है और आप अपनी ्वोटर लि्स्ट को चैक कर लें और ्वोटर लि्स्ट में जि्सका नाम लिखने ्से रह ग्या है, उ्सका नाम तुरंत ्वहीं पर लिखा जाए। इ्सके ्बाद उ्सके छपने में ्भी कुछ खामि्यां रह जाती हैं। ्वोटर लि्स्ट की ्सूची और कापी अध््यापक और लेखपाल के द्वारा मिलती है, जि्से लिए हुए गां्व के गरी्ब और छोटे त्बके के लोग घूमते रहते हैं, परन्तु ज्ब ्वोट डालने का ्सम्य आता है तो ्वे ्वोट डालने ्से व्ंचित रह जाते हैं।

महोद्य, इ्सी के ्साथ-्साथ एक और न्या तरीका निकला है, जो ्बड्ा अजी्ब है। जि्स ्सम्य गां्वों में पोलिंग पार्टि्यां जाती हैं तो अक््सर उन पोलिंग पार्टीज में अध््यापक, लेखपाल और राज्य के छोटे तथा अन्य कर्मचारी होते हैं। एक पोलिंग पार्टी में चार ्या पांच लोग होते हैं। पोलिंग पार्टी ्बनाते ्सम्य ्यह त्य कि्या जाना चाहिए कि पिछ्ड़े और एस.्सी. केटेगिरी के व्यक्ति हर पोलिंग पार्टी में होने चाहिए। अगर हो ्सके तो चुना्व में एक वि्शे ्बात ्यह ्भी की जानी चाहिए कि अनुसूचित जाति के मोहल्ले में, पिछ्ड़ी जाति के मोहल्ले में अलग ्से पोलिंग ्बूथ ्बना्या जाए। प्राय: ऐ्सा देखने में आ्या है और ्यह कहा जाता है कि फो्र्स की पूरी व्य्वस्था है, परन्तु ज्ब चुना्व होता है तो उ्स ्सम्य के्वल एक डंडा लिए हुए चौकीदार ्या होमगार्ड होता है।

परन्तु ्वहां न ्सेना होती है, न पी.ए.्सी. के ज्वान होते हैं और न ही अन्य पुलि्स ्बल होती है। 2-4 लोग गा्ड़ी में ्बैठ कर आते हैं और गरी्बों के ्वोट डाल कर ्बूथ कैप्चर कर लेते हैं। इ्स्से लोकतंत्र का मजाक उड़ता है। प्रजातंत्र को मज्बूत करने के लिए गरी्ब और पिछ्ड़े मोहल्लों में पोलिंग ्बूथ ्बनाने चाहिए और उनमें हर पीठा्सीन अधिकारी के ्साथ अनुसूचित जाति, पिछ्ड़ी जाति के लोगों और गरी्ब लोगों के कर्मचारि्यों को लगाना चाहिए। जहां होम गार्ड और पुलि्स होती है, ्यदि ्वहां ्सेना ्भेजने की आ्व्श्यकता हो तो ्वहां उ्से ्भी ्भेजना चाहिए। ्सी.आर.पी.एफ. के ज्वानों के रहते ्भी चुना्व की व्य्वस्था होनी चाहिए। आज कोई ्भी पै्से ्वाला आदमी पत्रकार ्वार्ता करके अपनी पार्टी का गठन कर लेता है। इ्स्से अनेक प्रकार की पार्टि्यों पूरे दे्श में ्बन गई हैं। नॉमिने्शन के ्सम्य पै्से ्वाला आदमी 5-6 नाम नत्थी करा कर अन्य छोटी और ्बड़ी पार्टि्यों के टिकट के आधार पर पोलिंग एजेंट ्बन जाता है। इ्स्से गरी्ब और पिछ्ड़े त्बके के प्रत्या्शि्यों को नुक्सान होता है। ्वे ्वहां अपने एक ही एजेंट को ख्ड़ा रखते हैं। मेरा नि्वेदन है कि दे्श में दो प्रकार की पार्टि्यां एक ्सत्ता और एक वि्पक्षी पार्टी होनी चाहिए त्भी दे्श में चुना्वों में न्या ्संचार आएगा और प्रजातंत्र मज्बूत होगा। ्भारत ्सरकार को चुना्व ्सुधार में इन ्बातों को अहम्यित देनी चाहिए।

जिलाधिकारी पूरे चुना्व का प्रभारी होता है और उ्से पूरे अधिकार होते हैं। ज्ब कोई पोलिंग पार्टी गां्व का दौरा करती है तो उनकी ्सुरक्षा की व्य्वस्था नहीं होती है। ्बैल्ट ्बॉक्स छीनने की ्बहुत ्सी घटनाएं होती हैं। ्वहां ्सुरक्षा की पूरी व्य्वस्था होनी चाहिए। मतगणना के ्सम्य देखने में आ्या है कि जिलाधिकारी एजेंटों को ्बहुत दूर ख्ड़ा करते हैं। इ्स्से ्वह अपनी मर्जी ्से कई गड्ि्यां गिनते रहते हैं। ऐ्से ्बहुत ्से अ्वैध के्स पाए जाते हैं। ्वे पचा्स की गड्डी के ऊपर और नीचे कि्सी एक चुना्व चिन्ह का ्बैल्ट पेपर लगा देते हैं। मतगणना के ्सम्य पारद्र्शिता होनी चाहिए। प्रजातंत्र को मज्बूत करने के लिए इ्स ्बात को अहम्यित देनी चाहिए। चुना्वों में वि्शे ्रूप ्से परि्वर्तन लाने के लिए कुछ ्सुधार करने चाहिए जि्स्से चुना्व ठीक-ठाक ्सम्पन्न हो ्सकें।

लगातार 20-25 ्सालों ्से ्यह ्सुनने में आ्या है कि जहां एक ्बार रिज्र्व ्सीट दे दी गई, ्वह ्सीट लगातार रिज्र्व ्सीट रहती है - जै्से कोई ्सीट अनुसूचित जाति की है तो ्वहां 25 ्सालों तक कोई एम.पी. ्या एम.एल. एक ही बिरादरी का चुन कर आता है। इ्स्से ्वोट्र्स में मा्यू्सी आती है और क्षेत्र के वि्कास पर प्रभा्व प्ड़ता है। आप छोटे और ्बड़े नेता के ्बीच तुलना करके इ्स ्बात को देख ्सकते हैं। जहां ्से कोई ्बड़ा ्या अपर का्स्ट का नेता चुन कर आता है, उ्स क्षेत्र का अधिक वि्कास होता है और जहां ्से अनुसूचित जाति का एम.पी. ्या एम.एल.ए. चुन कर आता है. उ्स क्षेत्र का वि्कास कम होता है। इ्सलिए इ्समें परि्वर्तन होना चाहिए

पांच ्साल के ्बाद कां्स्टीटुव्ंसी में परि्वर्तन होता रहे। ्यह चुना्व ्सुधार में न्या ्संचार पैदा करेगा।

अंत में ्यही कहूंगा कि चुना्व ्सुधार की अत्यंत आ्व्श्यकता है और चुना्व ही प्रजातंत्र का पूर्ण्रूपेण रक्षक का काम करता है।

्सभापति महोद्य, इन्हीं ्श्ब्दों के ्साथ मैं आपका धन््यवाद करता हूं कि आपने मुझे ्बोलने का ्सम्य दि्या।

SHRI SHIVRAJ V. PATIL (LATUR): Mr. Chairman, Sir, I am speaking on this Bill for records. Unfortunately, some of the very important issues which are faced by the country are not discussed by us in Parliament. One of the important issues which is not discussed for the last so many years is the Plan itself. Nothing is more important than the Five Year Plan. It is more important than the Budget presented by the Government for one year, and yet,unfortunately, all of us –I do not want to apportion the blameâ€"have failed to discuss the Five Year Plan on the floor of the House. Unfortunately, we have failed to discuss the Mid-Term Appraisal of the performance under the FiveYear Plan also.

One of the most important issues which is being discussed outside the house is the electoral reforms. I do not think that we have paid attention and discussed this issue on the floor of the House in a proper manner.

Sir, you have moved this Bill. You have tried to highlight some difficulties, which are faced by the Election Commission officers, and you want that the law should be passed by this House to help the Election Commission Officers. I will come to this point a little later. But I would like to say that the Private Members' Bills are moved in Parliament not for getting them passed, but they are moved on the floor of the House to highlight the issues.

Sir, by moving this Private Member's Bill, you are also highlighting one aspect of the defects with which our

electoral system is facing. The intention is to highlight the defects. If we have to highlight the defect, then, I think, you will allow me to go a little beyond the scope of this Bill so that this important issue, which has come when we are discussing a Private Member's Bill, can be considered at least for the sake of record, if not for anything else.

1559 hours (Shri P.H. Pandiyan *in the Chair*)

I remember in the 9th Lok Sabha, the electoral reforms were discussed at very great length and for about ten hours I was sitting in the Chair. The matter was raised over here and for about ten hours, this matter was discussed. As a result of that discussion, Dinesh Goswami Committee was constituted for looking into the electoral defects, and the steps to be taken to see that the electoral defects are removed. The report was given by the Dinesh Goswami Committee. Fortunately, some of the suggestions which were given in the Dinesh Goswami Committee's Report, have been implemented, but many of the suggestions, which were given in the Report, have not yet been implemented. This matter is being considered inside and outside the House on many occasions.

16.00 hrs.

What is it that this Bill is trying to highlight? I think this Bill is trying to highlight the muscle power which is used in the elections. It is said that the voters are intimidated, even the election officers are intimidated and the voters are compelled to vote in a particular manner or they are not allowed to vote at all. Election officers find themselves in a helpless position and that is why it has been said that some assistance should be given to them, some protection should be provided to them. In my opinion, this is an issue which can be considered as the muscle power which is being used in the elections which are being held in our country. When we say this, we are not criticising the entire election system as such, but what we are saying is that the elections have taken place thirteen times for the Parliament and many times for the States, and it has been possible for us to hold the elections on time, before time and hold the elections to generally find out what is the opinion of the electorate, and yet, the election system suffers from some defects and we shall have to underline those defects and we shall have to take some corrective steps.

What are the defects with which the elections suffer today? One of the defects is the money power. A lot of money is required, a lot of money is collected, a lot of money is used in the elections, and because of that, the elections become tainted. The elected Members cannot come to the House in a manner in which they should come because if the elections are tainted, in their heart and heart, they also feel obliged. Now, this is not a right thing to happen to the Members of Parliament who have to decide the policies which can remain in existence for years to come and which become applicable to the entire country as such. What is it that can be done to see that this defect is removed? One of the suggestions which was given by the Goswami Committee was that the elections should be funded by the Government and, fortunately, a part of that suggestion has been accepted by the Government. Today we have a position in which the time on TV and radio is made available to the political parties and to the candidates to highlight their agenda on which they want to act, if they themselves get elected, their manifesto and their policies. Crores of rupees are being spent by the Government to provide time to the political parties and to the candidates to go to the people and explain to them what is going to be their political philosophy and political policies, what are going to be their economic policies, what are going to be their social policies, and so many things. This is a right thing to do. But this itself does not solve the problem because having taken advantage of the time which is given to the political parties, the candidates are spending the money in the elections. The question is, is it possible for the Government to give the money to the candidates? I think it may become possible for the Government to give money to the candidates. But that is not the question. The question is not of the amount of money which is required for the purpose, but the real question is whether the candidates would not spend the money out of their own pocket after they receive the money from the Government. That is the main question. If they take the money from the Government coffers and again spend the money out of their own pocket, then the purpose of providing the funds to them is not served. What is the solution to this problem? It is not enough for us to identify the defects and the problems and the issues, but it would be necessary for us to find out as to what can be done.

Well, this problem is really a very big problem and there is no easy solution to this, but certainly we can find a solution to this problem and that solution is going to be equally difficult. It is going to be difficult to implement as such and one of the thinkers on this had said that if you really want to do away with this defect, then see that the political parties and the candidates canvass for their election together. In a parliamentary constituency, let the Government organise the public meetings at 10 places for the candidates belonging to all the parties and let them come to the platform provided by the Government and let them speak to the people. Apart from that, they should not canvas and if they canvass, they should not be allowed to continue in the election. Now, this solution is a very drastic solution. I do not think that the political parties are going to accept this solution. Even though it is a very difficult solution and yet if we have to see that the money power is not used in the election, something of this nature, if not exactly this thing, has to be done and unless it is done, the problem is not going to be solved. Now, the two issues, muscle power and criminalisation of politics, are being discussed. It is a fact that in many of the constituencies, the muscle power is used and in many places, the poor voters, people belonging to the weaker

section generally are not allowed to vote. The people who are strong enough economically do not go to vote and the people who want to vote are not allowed to vote. So, we find ourselves in a situation like this. What has actually to be done? Well, one of the solutions which was suggested by the former Election Commissioner was to give them identity cards and things like that, but it also suffered from some defects and that could not be implemented. But the question of muscle power has really to be tackled. As to how it should be tackled. Sometimes, we find ourselves at the wits' end to suggest the solutions.

As far as criminalisation is concerned, there are suggestions. They say that if a case is filed against a candidate, do not disallow him from contesting, but if the charge-sheet is filed, that is a different case and if the charge is framed, then also, it is a different case. But some of the lawyers who have been practising in criminal courts know that private criminal cases can be filed and they can collect some evidence against the candidate contesting and they can produce some oral evidence and they can see that the charges are framed by the Magistrate before the case is referred to the District Court if it is a higher offence or it can be tried by them. So, almost all good candidates sitting here may find some time a case filed against them by the unscrupulous elements in the society so that they should not get themselves elected. Now, what is the solution to this problem? This is a question which has to be considered in a very careful manner. There is no easy answer to this question also, but this is a question which has to be considered very carefully.

MR. CHAIRMAN : Shri Patil, please stop for a while. The time allotted for discussion on this Bill was one hour. It is over. With the leave of the House, can I extend it?

SHRI VAIKO : Mr. Chairman Sir, kindly permit me to make a small submission. I am also interested to participate in the debate on this Bill. But Sir, the next Bill is the Bill I introduced on 13th. The title of that Bill is 'Nationalisation of Inter-State Rivers Bill'. That Bill has come second in the ballot. Throughout the Twelfth Lok Sabha, I did not get that Bill in the ballot. Now, I have got it in the ballot for the first time. For the present Bill, one hour was allotted. You could take even one hour more. Unless I initiate discussion on the Bill moved by me, I will again lose the chance, and I do not know then how many months I would have to wait for.

Fortunately, last Friday, when I asked the Chairman, he was kind enough to tell the House that only one hour was allotted for this Bill.

I clarified it. When I said that I would miss my opportunity on the next Friday, the Chairman said that the time was being extended by only one hour.

MR. CHAIRMAN : There are five more Members to speak, and it is up to the House to decide. If the House agrees, we will extend the time, otherwise we will conclude the discussion now.

SHRI VAIKO: Sir, you can extend the time up to 5 o"clock because this business is up to 5.30 p.m.

MR. CHAIRMAN: Shall we allow the remaining five Members to participate in the discussion?

SHRI VAIKO : If the discussion on the Bill is completed by 5 o"clock, I will get an opportunity to introduce my Bill, which could then be taken up for consideration.

MR. CHAIRMAN: Each Member will get five minutes to speak.

SHRI VAIKO : Through you, Sir, I am appealing to the hon. Members of the House to consider my humble request.

MR. CHAIRMAN: Okay. Shri Patil, you may continue.

SHRI SHIVRAJ V. PATIL: Sir, if I have to discontinue, I have no objection. I think, Shri Vaiko"s suggestion is very valid.

MR. CHAIRMAN: He should get a chance.

SHRI SHIVRAJ V. PATIL : We can adjust in such a manner that he introduces the Bill and that Bill remains there for us to discuss it afterwards.

Sir, I am very conscious of the fact that I am going outside the ambit of the scope of this Bill and, yet, I am discussing the issue rather than the Bill. So, this problem has also to be tackled. In my opinion, if we have to cope up with some of these difficulties, one of the things which can easily be done is to modernise the recording of the voting. If we reduce the time between the date on which the nomination is filed and the date on which the voting takes place, it will help. If we use the machinery for recording the vote, it can help also in reducing the money power as well as, to some extent, the muscle power. Criminalisation of the politics will not be remedied by modernisation of

this thing, but it will reduce the muscle power as such.

One of the most important things which has occurred in our country and to which probably the attention has not been drawn, and even if, sometimes, attention has been drawn, the people have expressed their views without applying their mind to this aspect in very clear terms. What is that aspect? When we became free, we were only 30 crores. Three hundred million people were there in the country; today, we are 1,000 million people, that is, 100 crores and, yet, the number of the Members in the Parliament has not commensurately increased. In U.K., a Member of Parliament represents hardly 60,000 voters. But in India, one Member of the Parliament may be representing one-and-a-half million people in the country. It is very difficult for the Members of the Parliament to be in contact with their voters to find out what is their opinion on different issues. The Members of the Parliament are not in a position to know the opinion of the voters and, in accordance with the opinion of the voters, articulate the views on different issues on the floor of the House so that the policies are made, laws are framed, Budgets are passed in accordance with the wishes of the people. It is becoming more and more difficult. It is one of the most important elements involved in the democratic system and, yet, because of the increasing population, the Members are not in a position to meet their voters, collect the public opinion and come to the House equipped with that kind of public opinion.

This is an issue to which we have not applied our mind. We rightly decided that until 2000 AD there would be no increase in the number of Members of Parliament. If we have to have a system that is really representative of the public opinion, should we not think as to how this problem should be tackled and as to how we should facilitate the Parliament to represent the real public opinion on the floor of the House? This can be done. As to how this can be done should at least be discussed on the floor of the House and a decision should be taken in this regard.

Some people say that if there are more Members in the House we would not be able to manage the proceedings of the House. Certainly, sometimes it becomes very difficult for the Presiding Officers to do it. If they do not know each of the 545 Members in the House individually, they would find it very difficult to conduct the proceedings of the House in a manner that is acceptable to the Members. Some feel that if the number is increased now, the House cannot be managed. I think, if the number increases and if the time is also increased − if the Parliament works throughout the year − it will not be difficult for the Members to express their views. Many times we find the Members raising objections on the floor of the House and that is because they do not get time to speak. They have real issues, which are very important for their constituents, which they want to raise on the floor of the House. They do not get time to raise those issues on the floor of the House and so they feel agitated. That is the reason why they try to compete with others in catching the eye of the Presiding Officer to get an opportunity to speak. If the House meets for a longer period, this problem also can be solved.

Then there is the question of how to manage the Members if their number is increased now. There are Constitutions in the world which have solved this problem. The present system is applicable to small countries where the population is limited and where Members represent limited number of people. This system is, probably, not appropriate to meet the requirements of a country like India. There is a country in the world where you have 3,000 people sitting in the Parliament and deciding on the broad outlines of the policy which would be useful in making laws and policies, framing budget and the policies which would be used in holding the Government accountable. The minute details then are left to a body at the second level of the machinery wherein the details of legislation, budget-making and holding the Government accountable, are decided upon. That is the system which is suited to a country with a huge population, where a large number of Members should be there to reflect the real public opinion. I am just leaving this idea for the consideration. If it is possible, it can be considered.

Then, ladies are not represented well in Parliament. We have the Women's Reservation Bill on the agenda but we are not able to pass that Bill. All political parties in their manifestoes have very clearly said that 33 per cent reservation will be given to the ladies and yet, we find that in some way or the other, their own promises are not getting translated into a law that can really help ladies to come here.

Some objections are raised and the objections are such that this Bill would not be easily passed. I think, it should not be beyond the ingenuity of the Members sitting in the House to take care of their objections and also to see that the Bill is passed. There are ways and ways which we can consider to pass this Bill as well as to see that the objections raised by the Members are also dealt with in a proper manner. The only thing is that if we decide to do it and do it sitting together and evolve a consensus, it is possible. What can be done need not be discussed at this point of time on the floor of the House. It can be discussed when the occasion arises as to actually what can be done to satisfy all the interests of the society.

So, Sir, I do think that the electoral system should be very carefully examined. It is at the root of the democracy in our country and if the defects in elections are removed, the defects in democracy will also be reduced.

Now, as far as this Bill is concerned, it makes very salutary suggestions. There should not be any difficulty in

accepting these things. But may I humbly suggest that this is a Bill which may or may not be passed. If it is passed, well, it will certainly help but even without passing this Bill, I think, administratively, steps can certainly be taken to provide protection to the election officers so that election officers are not pressurised or intimidated to see that something which should not happen is done by them.

Well, I do not think, it is necessary for me to say anything more than this. Thank you, Sir, for giving me the time to speak . I also thank Shri Vaiko.

श्री सुबोध राय (भागलपुर) : सभापति महोदय, स्वतंत्र और निपक्ष मतदान के लिए यह बहुत ही आवश्यक है कि मतदाता निर्भीक होकर अपने मत का प्रयोग करे। जितना ही ज्यादा यह काम होगा, उससे हमारा जनतंत्र मजबूत होगा और जनतांत्रिक प्रक्रिया में लोगों का विश्वास भी बढ़ता चला जायेगा। लेकिन आज की स्थिति यह है कि बड़े पैमाने पर, जैसा कि पूर्व के वक्ताओं ने यहां पर विचार व्यक्त किये हैं कि मसल पावर और मनी पावर का प्रभाव बढ़ा है और राजनीति का अपराधीकरण हुआ है, उसने इस प्रक्रिया को दूषित किया है और जनतंत्र की जड़ को खोखला करने का काम किया है। इसलिए इस मामले में बहुत गम्भीरता से विचार किया जाना चाहिए और मतदान को स्वतंत्र एवं निपक्ष कराने की व्यवस्था के लिए सब कुछ किया जाना चाहिए।

यह बहुत ही गम्भीर बात है, मतदाताओं के लिए मतदान केन्द्र पास ही होने चाहिए, जहां कि मतदाता को आसानी से और समय के अन्दर मतदान करने में सहूलियत हो। हम देखते हैं कि मतदान केन्द्र बहुत दूर-दूर पर मनमाने ढंग से तय कर दिये गये हैं, जिसके चलते जो गरीब लोग हैं, खासकर जो महिलाएं हैं, वे वहां तक नहीं पहुंच पाती हैं और बीच में जो अवांछनीय तत्व हैं, वे उनको तंग करते हैं। वे मतदान केन्द्रों पर कब्जा करके बोगस मत डालते हैं और जो भी हो, वे गलत ढंग से मतदान करते हैं। इसके साथ-साथ ऐसी भी घटनाएं होती हैं कि बड़े पैमाने पर इस तरह से बूथों पर कब्जा करने में, जो मशीनरी है, वह भी उनका साथ देने में कभी-कभी उनके साथ देखी जाती है, इसलिए ऐसे लोग, जो मतदान कराने में निपक्षता बरतने में पूरी तरह से विफल हो जायें, उनके खिलाफ भी कड़ी कार्रवाई होनी चाहिए। मतदाताओं में असुरक्षा की भावना को कभी भी पनपने नहीं देना चाहिए। मतदान पूरी तरह से हो, साथ-साथ जो उम्मीदवार हैं, उनको भी सरकार के द्वारा और चुनाव आयोग के द्वारा फंड देने की व्यवस्था होनी चाहिए। अभी जब पिछली बार मैं चुनाव लड़ रहा था तो मैंने खुद यह महसूस किया। वहां अचानक भीषण बाढ़ के चलते हमारा चुनाव एक महीने के लिए स्थगित कर दिया गया, लेकिन एक महीने के बाद फिर हमको उतनी ही मेहनत करनी पड़ी और फिर उतनी ही परेशानी और उसी तरह से खर्च करने की मजबूरी हमारे सामने आई। हम समझते हैं कि ऐसी स्थिति में कोई भी गरीब राजनैतिक कार्यकर्ता, जो आम जनता से सम्पर्क रखकर चुनाव लड़ने वाले हैं,

वह उसके लिए सम्भव नहीं हो सकता, लेकिन जो बड़े-बड़े थैलीशाह हैं, वही सफल हो सकते हैं। हम देखते हैं कि मतदान केन्द्रों पर जिस तरह से आज बातें हो रही है, जिस तरह से चुनावों में उम्मीदवारों की बात हो रही है, बड़े-बड़े शातिर अपराधी चुनाव में जीत जाते हैं। वे धनबल से, अपराधियों के बल पर, शक्तिशाली लोगों के बल पर गांव के गरीब तबके के लोगों, पिछड़े दलितों और अल्पसंख्यक लोंगों के वोट डालने के अधिकार को कुचलने का काम करते रहे हैं। इसलिए वे उन पर हावी हो जाते हैं। जैसा रघुवंश बाबू ने सुझाव दिया है कि गांवों में इस व्यवस्था को सही करने के लिए पैरा मिलिट्री फोर्स लगाई जाए और इसमें महिलाओं की बहाली भी होनी चाहिए, ताकि महिलाएं भी वोट देने जा सकें और कोई बाधा या रुकावट इसमें न आए।

इन्हीं शब्दों के साथ रघुवंश प्रसाद जी ने जो प्रस्ताव रखा है, मैं उसका समर्थन करता हूं।

डा. रामकृष्ण कुसमरिया (दमोह) : सभापति महोदय, आपने समय दिया, उसके लिए बहुत-बहुत धन्यवाद। मुझे लगभग नौ चुनाव लड़ने का अवसर मिला है। जिसमें सात में मैं जीता और दो में हारा हूं। लेकिन इस अर्से में, इस चुनाव के पीरियड में जो अनुभव हुआ, उसके आधार पर मैं माननीय रघुवंश जी को धन्यवाद देना चाहता हूं कि उन्होंने बहुत अच्छी बात रखी कि मसल्स पावर को रोकने के लिए पैरा मिलिट्री फोर्स को लगाया जाए। चुनाव में निपक्षता और पवित्रता बनी रहे, इस उद्देश्य से उनके द्वारा रखे प्रस्ताव का मैं समर्थन करता हूं।

एक समस्या सामने आती है कि बाहुबल को जैसे-तैसे पैरा मिलिट्री फोर्स से रोक देंगे, लेकिन धनबल को कैसे रोकेंगे। इसके कारण बहुत से वोटर गुमराह हो जाते हैं। खास कर जो गरीब तबके के लोग हैं, उनको पैसे के बल पर गुमराह कर दिया जाता है, फिर वे अपने पथ से विचलित हो जाते हैं। ऐसे बहुत से पिछड़े इलाके हैं जहां पर वे बेचारे वोट डालने नहीं आ पाते। परिणाम यह होता है कि उनके वोट फिर भी पड़ जाते हैं। हाल ही में जब लोक सभा चुनाव हुए थे, उस समय बरसते पानी में वोटिंग हुई। लोग वोटन डालने नहीं गए, फिर भी 80 प्रतिशत तक वोटिंग हुई। आखिर ये वोटर कहां से आए और कैसे इतने वोट पड़े, यह सोचने की बात है। यह एक नहीं, सब जगह हुआ है। बरसते पानी में, उफनते नदी-नालों के कारण वोट डालने लोग नहीं आए, लेकिन वोटिंग का प्रतिशत 80 तक रहा। यह एक विचारणीय प्रश्न है। आज की व्यवस्था में निपक्षता नहीं रह पाती और चुनाव की पवित्रता नट हो जाती है। इसका भी सही प्रबंध करने केलिए हमें विचार करना पड़ेगा।

हमारे पूर्व वक्ता ने एक बात अच्छी कही कि हमारे पोलिंग स्टेशन जहां दो किलो मीटर की दूरी पर बनने चाहिए, वहां दस किलो मीटर की दूरी पर बनाए जाते हैं। हमारे आदिवासी, गरीब और पिछड़े लोग, जिनके पास वाहन नहीं है, वे इतनी दूर नहीं आ-जा सकते। वे जब वोट डालने नहीं आते, उनके वोट का दुरुप्योग माफिया लोग करते हैं।

अभी पहले शैान साहब जो भूतपूर्व मुख्य चुनाव आयुक्त थे, उस समय उन्होंने कार्ड बनाने की व्यवस्था शुरु की थी लेकिन मैं नहीं जानता कि कितने प्रदेशों में ये कार्ड बने और कितने प्रदेशों में नहीं बने। लेकिन उन कार्डों का उप्योग नहीं हो रहा है। उन कार्डों के आधार पर मतदान नहीं हो रहा है और इसलिए फर्जी मतदान हो रहा है। कार्ड बनाने में हमारी धनराशि लगी है। जो पैसा खर्च हुआ है, उसका कोई उप्योग समझ में नहीं आया। वे कार्ड सब जगह नहीं बन पाये हैं और आज भी फर्जी मतदान होता है, इसको रोकने की आवश्यकता है। इसी के साथ-साथ एक विशे बात यह है कि इसमें अपराधी तत्वों को चुनाव लड़ने से नहीं रोक पाते और जब अपराधी तत्व चुनाव लड़ते हैं तो मसल पॉवर का उप्योग होता है और कंट्रोल करना मुश्किल हो जाता है। इसलिए इन बातों पर ध्यान दिया जाये और निर्वाचन में सारी बातों को ध्यान में रखकर सुधार किया जाये तो निश्चित रूप से जिस पवित्रता को बनाये रखने के लिए रघुवंश प्रसाद सिंह जी ने प्रस्ताव रखा है, इन बातों को उसमें और समावेश करके किया जाये तो लोक तंत्र की मर्यादा कायम होगी, चुनाव की पवित्रता कायम होगी। इससे जो लोग लोक सभा में चुनकर आएंगे, वे हमारे देश की प्रगति, तरक्की और हित के लिए अपना कर्तव्य निर्वहन करेंगे। इन्हीं शब्दों के साथ मैं अपनी बात समाप्त करता हूं। आपने समय दिया, इसके लिए धन्यवाद देता हूं।

श्री पुन्नू लाल मोहले (बिलासपुर) : सभापति महोदय, चुनाव सुधार के संबंध में मैं कहना चाहूंगा कि पहले पोलिंग बूथ में सुधार हो, दो कि.मी. से अधिक दूरी तक रहता है। लोग वोट देने नहीं जा पाते। चुनाव होता है, चुनाव के दिन देखने में आता है कि लोग गाड़ी में जाते हैं या तो कैंडीडेट उन्हें गाड़ी में ले जाते हैं और

कुछ लोग रह जाते हैं। इस अव्यवस्था को व्यवस्थित करने के लिए चुनाव के समय सरकारी गाड़ी स्वतंत्र रूप से फ्री में चले जिससे निपक्ष चुनाव का वातावरण बने, स्वतंत्रता पूर्वक चुनाव कराने में वह अपने को स्वतंत्र समझे।

वोट के समय दो प्रकार के वोट देते हैं। सरकारी कर्मचारी को बी फॉर्म भरने के लिए दिया जाता है। जो पोलिंग बूथ में जाते हैं अगर वह फॉर्म नहीं भरते तो अनुमति लेनी पडती है। यह अनुमति लेने की आवश्यकता न हो, सरकारी कर्मचारी के लिए उस दिन छुट्टी घोति हो जिससे सरकारी कर्मचारी वोट दे सके।

गिनती के पहले और गिनती के बाद की बात मैं बताना चाहूंगा। जिस समय गिनती शुरु होती है, गिनती शुरु होने से पहले पचास-पचास के बंडल बांधे जाते हैं। बांधने के बाद जब गिनती होती है, उसमें एक रिजेक्ट वोट होता है और एक डाउटफुल वोट होता है। पेटियां वहीं रहनी चाहिए। पेटियों की गिनती एक साथ हो। बैलट जो होते हैं, वे सौ-सौ या हजार-हजार की गड्डी में बांधे जायें क्योंकि लोक सभा का क्षेत्र कई मतदान केन्द्रों से घिरा रहता है। कई मतदान केन्द्रों में एजेंटों की व्यवस्था कुछ लोग नहीं कर पाते क्योंकि ऐसी व्यवस्था में बहुत से कर्मचारी, अधिकारियों की आवश्यकता होती है। लोग खड़े-खड़े बैलट पेपर को देखते हैं और मतपत्र की गिनती होती रहती है। चुनाव के दौरान अनेक प्रकार की रुकावटें आती हैं। जिस पक्ष में वहां के कर्मचारी वोट गणना में जिताना चाहते हैं, उसको फेंकते हैं। मान लें कि एक मतदान केन्द्र में एक लाख वोट पड़ा तो वहीं दस-पांच जितने एजेंट बैठे हैं और वे जिस पक्ष के हैं और सरकारी कर्मचारी अलग बैलट तो करते हैं लेकिन समय उतना ही लगता है। उतने ही समय में पूरी मतपत्र पेटियों की गिनती हो सकती है।

सबसे पहले हर दल के मतपत्रों को अलग-अलग छांट लेना चाहिए और उसके बाद रिजैक्ट व डाउटफुल वोट्स को अलग-अलग कर लेना चाहिए। निर्वाचन अधिकारी और एजेंट के सामने डाउटफुल वोट्स की एवं रिजेक्गिट वोट गिनती सबसे पहले करनी चाहिए। यह बात मैं क्यों कह रहा हूं, इससे संबंधित एक बात मैं आपके सामने कहना चाहता हूं। 1996 के म. प्र. विधान सभा उप चुनाव में डाउटफुल वोट्स की गिनती नहीं हुई थी और बाकी गिनती होती रही। सात राउन्ट की गिनती तक भाजपा प्रत्याशी जीतता रहा, लेकिन आखिरी राउन्ड में 90 वोट्स से हार गया। मैं अपने अनुभव के आधार पर यह बात कह रहा हूं। मैंने अभी तक नौ बार चुनाव लड़ा है, आठ बार जीता हूं और एक बार हारा हूं। मैं यह कहना चाहता हूं, गिनती के बाद पेटी अन्दर जाती है और फिर दूसरी पेटी गिनती के लिए लाई जाती है और जिसके पक्ष में जीताना होता है, पहले गिनती की हुई मतपत्र पेटी को दोबारा मिला दिया जाता है। ऐसा करने पर भाजपा प्रत्याक्षी 90 वोट्स से हार जाता है। गिनती की हुई पेटी को और गिनती न की हुई पेटी को एक साथ नहीं रखना चाहिए। दोनों प्रकार की मतपत्र पेटियों को अलग मतगणना स्थान पर रखा जाए।

इसके साथ मैं यह भी कहना चाहता हू, आर्थिक स्थिति से कमजोर कैंडिडेट चुनाव सहीं ढंग से नहीं लड़ पाता है। एक लोकसभा सीट के चुनाव क्षेत्र में आठ विधानसभा क्षेत्र होते हैं। एक क्षेत्र में एक गाड़ी की व्यवस्था हो या दो गाड़ियों की व्यवस्था हो, तो कैंडिडेट के पास आठ या सौलह गाड़ियों की व्यवस्था होनी चाहिए। कभी-कभी गाड़ियां खराब भी हो जाती है, पंक्चर भी हो जाती है, ऐसी स्थिति में 20 गाड़ियों की व्यवस्था होनी चाहिए। मैं यह भी कहना चाहता हूं, उम्मीदवारों के बारे में देखना चाहिए कि किस दल का कौन-कौन उम्मीदवार को सहायता दिया जा सकता है। उसको उसी आधार पर गाड़ियों की व्यवस्था, पैट्रोल व डीजल की सुविधा देनी चाहिए। आर्थिक स्थिति कमजोर होने से वह निपक्ष रूप से चुनाव नहीं लड सकता है, इस ओर भी सरकार को ध्यान देना चाहिए। यह भी होता है, करोड़पति और पूंजीपति तो गाड़ी रख लेते हैं, लेकिन आर्थिक दृटिसे कमजोर साधारण आदमी नहीं व्यवस्था कर पाता है। साथ ही चुनाव के समय दारू की बिक्री भी बढ़ जाती है। यदि किसी गांव में दारू का वितरण बढ़ता है, तो वहां एफआईआर दर्ज कर पुलिस द्वारा उस व्यक्ति को शीघ्र से गिरफ्तार किया जाना चाहिए।

महोदय, इन शब्दों के साथ, अपनी बात समाप्त करते हुए, मैं कहना चाहता हूं कि इस तरह की अव्यवस्थाओं में सुधार करके चुनाव प्रक्रिया में सुधार किए जा सकते हैं। आपने मुझे समय दिया, इसके लिए आपको धन्यवाद देता हूं।

श्री हरीभाऊ शंकर महाले (मालेगांव) : सभापति महोदय, आपने मुझे बोलने के लिए समय, इसके लिए मै आपको धन्यवाद देता हूं। माननीय सदस्य, श्री रघुवंश प्रसाद जी, द्वारा जो बिल प्रस्तुत किया गया है, मैं उसके बारे में अपनी कुछ बातें कहना चाहता हूं।

वास्तविकता यह है कि जिस तरह से बड़े लोग चलते हैं, वैसे ही काम होता है। मुझे याद है, 1978 में मोरारजी भाई के साथ चुनाव प्रचार में था, तो उन्होंने कश्मीर में कहा था - मत आप किसी को भी दें, लेकिन निर्भीकता से दें।

लोग बोलते हैं कि अभी तक काश्मीर में निर्भयता से चुनाव नहीं हुआ, लेकिन श्री मोरारजी भाई के समय में हो गया।

महोदय, कैसी-कैसी बातें होती हैं। मेरे निर्वाचन क्षेत्र में शरद पवार जी के कंधे पर मेरी पालकी थी और उनके कुछ सहयोगी कंधे पर थे। देश के पंथ प्रधान मेरे निर्वाचन क्षेत्र में आए थे। चुनाव के दो दिन रह गए थे और मेरा खर्चा 14 लाख रुपए हो गया था। मेरा कहना है कि छोटा आदमी सहानुभूति देता है, लेकिन यश प्राप्त नहीं करता। महोदय, पैसे के बिना इलैक्शन नहीं होता। मेरे पास एक नया पैसा नहीं था, लेकिन मुझे एक आदमी ने दस लाख रुपए कर्ज दिया, इसलिए मैं चुन कर आया। मेरा कहने का मतलब यह है कि चुनाव में पैसा लगता है, इसलिए सरकार को इस पर खास ध्यान देना चाहिए और लोकतांत्रिक तरीके से चुनाव होने चाहिए।

महोदय, जहां तक चुनावों में जोर जबर्दस्ती का सवाल है, कई माननीय सदस्यों ने बोला है कि मतदान के बूथस में दस-दस, 12-12 किलोमीटर अंतर होता है, यह ठीक नहीं है। मतदान करने के लिए सख्ती होनी चाहिए। मुझे एक बात याद है, जब श्री मोराराजी भाई पंथ प्रधान थे तो उनके सामने ऐसा ही सवाल आया, तब उन्होंने कहा कि मैं एक गरीब देश का प्रधानमंत्री हूं, मैं ऐसा नहीं कर सकता और उन्होंने इस्तीफा दे दिया। मैं चाहता हूं कि मतदान हो और बड़े-बड़े लोग भी उसमें शामिल हों। समझदारी से लोग चुनाव लड़ेंगे तो देश ठीक चलेगा और जनता भी ठीक रहेगी। मैं जनता को भी दोा देता हूं। पहले बोलते थे- "यथा राजा तथा प्रजा, " अब यह हो गया है- "यथा प्रजा तथा राजा।" राजा भी भ्रट हो रहे हैं। इसलिए मैं मतदाताओं से विनती कर रहा हूं, बाबासाहेब अम्बेडकर ने जो मतदान का अधिकार दिया, वह अधिकार उन्हें बराबर देना है और लोकशाही को बचाना है तो दोनों को मिल कर बचाना है, यही मेरा सुझाव है।

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SHRI VARKALA RADHAKRISHNAN (CHIRAYINKIL): Sir, I am supporting the Bill. The main aim of this Bill is to give protection to the presiding officer towards the conduct of the election. The main suggestion of the Bill is to provide four para-military personnel and one patrolling party. That is only one aspect of the election process. The most important thing that comes to my mind is the election process itself. The democratic process itself is in peril.

How to educate the people about the democratic process? There have been about 13 elections of the Lok Sabha and about 15 or 16 elections to the State Assemblies. People have enough experience in the process of election.

There is a tendency on the part of the electorates to feel disappointed.

On an honest scrutiny of the percentage of voters' participation in the election process, we will see that every year the percentage of people who have participated in the elections is getting reduced. Even in a State like Kerala which has the highest percentage of voters' participation − in one of the elections it was more than 85 per cent − we find there is a gradual decrease in the participation of voters in the elections. We will have to think over the matter as to how to redeem the situation. How can we educate the electorate? This is the most important aspect as far as I am concerned. People are more or less disappointed and disgusted with the entire process. They are under a firm belief that nothing will happen and no progress will be made even after taking part in elections with all seriousness. The net result is the elections do not fulfil their expectations.

Various political parties fail them. The political parties, even after promising certain things in their election manifestos, do not take interest in fulfilling those promises. So, people have taken this process of election as farce and not as a serious exercise. Previously they had high expectations but after every election, their hopes have been belied. They are getting disappointed. How to redeem this factor is the most important thing.

In certain other democratic countries, there is a provision to recall the elected representative. In Swiss Parliament an MLA, who fails to fulfil the expectations of the electorate, can be recalled. We will have to think over that. An opportunity must be given to recall a people's representative or a Member of Parliament who has not come up to the expectations of the electorate. We will have to think over whether it is possible in India to recall an MP as and when he is found unfit. After elections, an MLA or an MP goes in his own way. They do not care about the electorate. There is no coordination between the electorate and the representatives. There is much dissatisfaction among the electorate. The people's representative is not at all controlled by the electorate. A representative meets people once in three or four years. That is the present situation. So, I would suggest that we will have to think about making a provision, to recall a Member of Parliament who fails to fulfil the expectations of the people, in the Constitution or in the Representation of People's Act. This is one aspect.

We will then have to educate the people because there is an inherent weakness in our democracy. The Congress Party has ruled the country for over 45 years. But what representation was given to the majority parties? They represented only 25 to 30 per cent. So, the majority of the electorate was not represented by the Indian National Congress even if they had a majority in the House.

They had absolute majority in the House. But outside the House, they were a minority. That is the inherent weakness of our electoral system. Even today some bigger States like Uttar Pradesh have 85 MPs in this House. We are helpless as the States of Tamil Nadu and Kerala have a few number of seats in the House. So, the question is this. How could we make the process more effective? Even in a numerical sense, they may be a minority but the minority could govern the country with a majority inside the House. We will have to think over how to change the present system.

Then about the stability of the Government, I do not want to go into the details because we have a Constitutional Review Committee. They are also looking into that...(*Interruptions*) I am sorry to say that I cannot help you because I have started only just now.

SHRI VAIKO (SIVAKASI): Sir, I am making a request to the Chairman. One hour was allotted for this. Again the sense of the House was taken and another one hour was given. So, I will lose my opportunity. That is why, I am pleading the Chairman.

MR. CHAIRMAN (SHRI P.H. PANDIYAN): You please conclude now. You are the last speaker.

SHRI VARKALA RADHAKRISHNAN (CHIRAYINKIL): Sir, I will be brief honouring my friend, Shri Vaiko and the Chair.

Then, electoral process is now facing two dangers, namely, muscle power and the money power. With regard to money power, the election funding by the State can do a lot. We will have to seriously think over the election funding by the State. That is one aspect.

As regards muscle power, that can be prevented only by political consciousness and by the organised will of the people. Now I come to criminalisation which is a recent development in Indian politics. The politics, if I may put it, has become self-seeking profession. We have misused it. Politics is after all a service to the people. But we have misused it and the people at large think that it is just like any other trade or profession.

MR. CHAIRMAN: You do not say: "We have misused it". You say that some have misused it.

SHRI VARKALA RADHAKRISHNAN (CHIRAYINKIL): Yes, Sir. I would suggest that process of criminalisation should

be prevented. In that case, there are two aspects that will have to be looked into. Firstly, whether mere filing of charge or framing of charge would be a sufficient ground for denial of seat in the elections. Secondly, some hold the opinion that the convicted person should never be allowed to participate in the election process. These are the two aspects. We will have to have a detailed discussion for this so that we can take a decision in this matter immediately. These are some of the facts which I would like to place before the House to improve the electoral process.

With these words, I conclude and I support the Bill.

(ends)

1654 hours

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF

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PARLIAMENTARY AFFAIRS (SHRI O. RAJAGOPAL): Mr. Chairman, Sir, this Private Members' Bill has helped this House to look into the various aspects of electoral reform. I am happy to note that there is widespread appreciation of the need for electoral reforms. The ambit of discussion on this Bill is very limited to providing security for the poling officers and other personnel for peaceful elections.

Various other aspects concerning elections have also been raised by hon. Members. The Government shares the concern of Members for peaceful conduct of elections by which free and fair elections can be ensured.

Various suggestions have been made. We appreciate the concern of the Members. I would like to assure the Members that as far as this Government is concerned, it is committed to bring about electoral reforms. In fact, certain steps have already been taken in this direction. The process is on. I would like to inform the House that on the question of delimitation of constituencies, Government has decided to hold a meeting of leaders of various political parties in the coming two weeks. On the 13th of May, we have convened a meeting of various political leaders to consider the question of delimitation of constituencies.

There are, of course, other aspects of electoral reforms also. They are pending with the Government. We are seriously concerned with bringing about electoral reforms in a comprehensive manner and the various valuable suggestions made by hon. Members in the course of the discussion will naturally be reflected and will be taken care of when the Government brings a comprehensive legislation.

The concern for ensuring security for the polling personnel is a genuine concern. But, I would like to point out that this is a matter which is strictly within the purview of the State Government. As everyone knows, maintenance of law and order is a matter which falls under the purview of the State Government. As has been pointed out by some Members, article 324 really empowers the Election Commission to seek necessary support from the State Government and the State Government is duty bound to provide it. We are in a situation where most of the political parties are in power in one State or the other. In such a situation, if the Central Government is to interfere in order to see that law and order is maintained during election time, I think it will not be appreciated by various State Governments. Since article 324 already empowers the Election Commission to seek whatever assistance required from the State Government, there is no need for further provision as is contemplated in the proposed Bill. However, the Central Government would like to assure hon. Members that it is concerned about the conduct of peaceful polls which will enable every member of the public to cast his or her vote without fear or favour.

In this situation, while appreciating the concern expressed by the hon. Member who had moved the Bill, I would request him to withdraw the Bill. I would assure him that the concerns expressed by him and by other hon. Members will be given due weightage when the Government comes forward, as quickly as possible, with a comprehensive Bill on electoral reforms. I would again request him to withdraw the Bill.

1700 hours

डॉ. रघुवंश प्रसाद सिंह (वैशाली) : सभापति महोदय, माननीय मंत्री जी ने महसूस किया है कि यह वाजिब बात है और सन् 1995 में जब श्री टी.एन.शेषन चुनाव आयुक्त थे, जैसा मैंने सजेस्ट किया, वैसा उस समय हुआ था लेकिन पैरा मिलिट्री फोर्सेज जमा करने में बहुत समय लगा था। दो तरह की प्रोटेक्शन की मांग हमने की है। पहली यह कि कमजोर वर्ग के लोगों को बूथ पर जाने ही नहीं देते हैं, बदमाश लोग रास्ते में ही उनको रोक देते हैं और दूसरी बात यह है कि जो चुनाव कराने

वाले कर्मचारी हैं, उनकी सुरक्षा का पूरा प्रबंध नहीं किया जाता है। इलेक्टोरल रेफार्म्स के लिए चाहे गोस्वामी कमेटी हो या इंद्रजीत गुप्ता कमेटी हो, या जो भी कमेटी हो, कानून को लागू करने वाले जो लोग हैं, जब तक उनको सुरक्षा नहीं दी जाएगी, तब तक वे क्या कानून लागू करेंगे? बदमाश उनके पास जाते हैं और कहते हैं कि सारे बैलट पेपर पर दस्तखत कर दो और वे सारे बैलट पेपर छापकर बक्से में डाल देते हैं। वे घंटे भर में 100 प्रतिशत वोट डाल देते हैं जबकि दूसरे पोलिंग स्टेशनों पर लाइन लगाकर शाम तक 50 प्रतिशत ही मतदान हो पाता है। जहां किसी प्रिसाइडिंग ऑफिसर ने रेज़िस्ट किया तो उनको मारा-पीटा जाता है और कभी-कभी उनकी हत्या भी हो जाती है। गाली-गलौज तो साधारण बात है। उनको मार-पीट कर, डरा-धमका कर काम कराया जाता है। इसलिए कोई आदमी चुनावों में प्रिज़ाइडिंग ऑफिसर नहीं बनना चाहता है। जब तक उनकी सुरक्षा नहीं होगी, तब तक सारा कानून एक दिखावा है। चुनावों में रिटर्निंग ऑफिसर नीचे से सूची मंगाते हैं। प्रिज़ाइडिंग ऑफिसर बीडीओ और दरोगा से मोस्ट सेन्सिटिव एरियाज़ की सूची मंगाता है, जहां पर जबर्दस्ती की संभावना होती है, और फिर सेन्सिटिव इलाकों की सूची और फिर सादी सूची मंगाई जाती है। उस हिसाब से कुछ ऐसे बूथ छोड़ दिये जाते हैं जहां पर सिर्फ चौकीदार ही रहते हैं। उसके बाद पक्ष-विपक्ष के लोग आरोप लगाते हैं कि फलां बूथ छोड़ दिया। जहां विपक्ष के सपोर्ट वाला बूथ है, वहां के लिए हमारे लोग फोर्स लगाने की बात करते हैं और जहां हमारी सपोर्ट का बूथ है, वहां विपक्ष वाले फोर्स लगाने की बात करते हैं। उसमें रिटर्निंग ऑफिसर द्वारा डिस्क्रिमिनेशन की भी गुंजाइश रहती है। इसलिए कानून में यह प्रावधान किया जाए कि चुनावों में हर बूथ पर पैरा-मिलिट्री फोर्सेज लगाई जाएं। बूथ की सुरक्षा, पोलिंग ऑफिसर की सुरक्षा और पार्टी के प्रतिनिधियों की सुरक्षा का प्रबंध होना चाहिए। सुरक्षा बलों को उस इलाके में घूमना चाहिए ताकि कहीं कोई बदमाश वोट डालने से लोगों को न रोके। उसके लिए ही हमने कहा है कि दो सैक्शन फोर्स होनी चाहिए। उतनी फोर्स हम कहां से लाएंगे यही एक कठिनाई है, नहीं तो इस कानून में कोई अड़चन नहीं है, कोई नैतिक और व्यावहारिक कठिनाई नहीं है। मंत्री जी को इसे कानून में लाना चाहिए क्योंकि फेयर, पीसफुल और निष्पक्ष चुनावों के लिए यह आवश्यक है। ऐसा बिहार में हो भी चुका है। वहां तीन फेज़ में चुनाव हुए थे। हर बूथ पर 1995 में पैरा मिलिट्री फोर्सेज़ गईं। 1996 में गड़बड़ हुई और 1998-99 में भी गड़बड़ हुई। फिर असेम्बली चुनावों में भी गड़बड़ी हुई। इसलिए ज्यादा देर तक, समय लगाकर चुनाव हो जाए, वह मंजूर है। तीन फेज़ के बदले पांच फेज में चुनाव हो जाए, महीने भर में देश भर में चुनाव हो जाए, वह मंजूर है, लेकिन हर बूथ पर पैरा मिलिट्री फोर्स हो और जो गरीब आदमी को वोट डालने से बदमाश रोकते हैं, उन गरीबों को भी प्रोटेक्शन मिलनी चाहिए, यह हमारी अपेक्षा है। फिर भी हम चुनाव लड़ने के लिए हमेशा तैयार हैं और इनको कहीं भी पछाड़ ही देंगे। लेकिन वैको साहब की भी हमें मदद करनी है, उनको भी बिल लाना है, इसलिए चुनाव सुधारों में कैटोगरिकली रिफॉर्म्स लाने चाहिए।

सभापति महोदय, इसीलिए मैं कहना चाहता हूं कि मेरे प्रस्ताव को मानने में कोई कठिनाई नहीं होनी चाहिए। आप कहते हैं कि स्टेट गवर्नमेंट का कमीशन है, मैं कहता हूं कि सेंट्रल गवर्नमेंट के सामने स्टेट गवर्नमेंट की कोई वैल्यू नहीं है। आपको उसका प्रबन्ध करना पड़ेगा। आपको पैरामिलिट्री फोर्सेस की व्यवस्था सभी बूथों के लिए करनी चाहिए। दो या तीन फेज की जगह आप और ज्यादा फेजेज में इलैक्शन भले ही कराएं, लेकिन आपको सभी बूथों पर पैरामिलिट्री फोर्सेस की व्यवस्था अनिवार्य रूप से करनी चाहिए।

सभापति महोदय, वैसे भी ज्यादा राज्य तो ऐसे नहीं हैं जहां जरूरत पड़ेगी, कुछ ही राज्य ऐसे हैं जहां जरूरत होगी। आपको तो मालूम है कि उधर बैठे लोगों के सहयोग से घोषित अपराधी भी इस बार के चुनाव में बूथ पर कब्जा करके, मतपत्रों को खुद छापकर चुनाव जीत कर आ गए हैं। हम लोगों को तो आशंका है कि जो हमारे सपोर्टर हैं, जो कमजोर वर्ग के लोग हैं और जो हमें मत देते हैं, उन्हें आप वोट नहीं डालने देंगे और जो बूथ छापने वाले लोग हैं, वे बूथ पर कब्जा करके चुनाव में जीत जाएंगे।

â€¦(व्यवधान)

श्री शंकर प्रसाद जायसवाल (वाराणसी) : आप तो "उल्टा चोर कोतवाल को डांटे" वाली कहावत चरितार्थ कर रहे हैं।

डा. रघुवंश प्रसाद सिंह : पैरा मिलिट्री फोर्स लगाने में क्या दिक्कत है? आपके आडवाणी जी ने तो पैरामिलिट्री फोर्स को चुनाव में तैनात करने की बात को माना है। हम चाहते हैं कि पूरे चुनाव क्षेत्र में हर बूथ पर पैरा मिलिट्री फोर्स लगाई जाए ताकि देश के सामने दूध का दूध और पानी का पानी आ सके।

DR. NITISH SENGUPTA (CONTAI): If the Paramilitary Forces are under the command of the State Governments, nothing will happens because the State Governments will be very partisan. So, the Paramilitary Forces must be under the command of the Central Government and not under the command of the State Governments....(*Interruptions*)

डा. रघुवंश प्रसाद सिंह : सेनगुप्ता जी आप तो इंटैलीजेंट आदमी है। सब बूथों पर बिना भेदभाव के फोर्स का इंतजाम किया जाए, हम यही कहना चाहते हैं। यदि फोर्स का इंतजाम किया जाएगा, तो सही और निष्पक्ष चुनाव होगा। इसमें स्टेट गवर्नमेंट क्या करेगी। बूथ पर उपस्थित एक अफसर, बाबू और सिपाही आदि को जोड़ दिया जाए, तो इसमें कोई क्या कर पाएगा। कोई रिटर्निंग आफीसर हो या हम हों कोई कुछ भी नहीं कर पाएगा। इसमें सेंसिटिव, मोर सेंसिटिव में जो पिक एंड चूज होता है, भेदभाव, पार्शियलिटी होती है, उस सबका इलाज एक ही है और वह है सब बूथों पर फोर्स का इंतजाम। कहावत भी तो है कि " एक ही साधे सब सधे और सब साधे सब जाए " लेकिन यहां क्या होने वाला है वह आप भी जानते हैं। जो लोग बूथ छापकर चुनाव जीत कर आने वाले लोग हैं, वे क्या इस प्रस्ताव को स्वीकार करेंगे? जब तक चुनावों में जोर-जबर्दस्ती चलेगी, समाज के दबे, कुचले, शोषित, लांछित और उपेक्षित वर्ग को डरा-धमका कर, हड़का कर लोग वोट नहीं डालने देंगे, बूथ पर कब्जा कर लेंगे और मतपत्रों को छाप कर सब वोट खुद ही अपने पक्ष में डाल देंगे, तो उसका रिजल्ट तो पहले ही आउट है जिसने बूथ कब्जा किया, वही जीतेगा।

सभापति महोदय, मैं इसीलिए कहना चाहता हूं कि सभी बूथों पर लाजमी तौर पर फोर्स की व्यवस्था होनी चाहिए और दो सैक्शन फोर्स हो जिसमें एक सैक्शन बूथ की रक्षा करे और दूसरा सैक्शन गांव में घूम-घूम कर देखे कि कहीं कोई वोट डालने वालों को आने से रोक तो नहीं रहा है, कोई डरा धमका तो नहीं रहा है। वैसे ऐसी व्यवस्था होती है, लेकिन कुछ बूथों पर होती है, सभी बूथों पर नहीं। मैंने जो प्रस्ताव दिया है, वह इसीलिए दिया है कि सभी बूथों पर व्यवस्था हो। चुनाव के खर्च में, गाड़ी का खर्च, पेट्रोल का खर्च, पेपर का खर्च तो होता है, लेकिन अब इन सब चीजों के साथ-साथ गोला, बारूद और बंदूक का इंतजाम करना भी आवश्यक होता जा रहा है। यदि सभी बूथों पर अनिवार्य रूप से फोर्स की व्यवस्था होगी, तो कम से कम गोला, बारूद और बंदूक के खर्च से तो बचा जा सकता है।

सभापति महोदय, चुनाव सुधार, बहुत व्यापक विषय है। इसमें सुधार की अपार संभावनाएं हैं। एक कहावत मैं और कह रहा हूं "तू कहत है कागज की लेखी, मैं कहत हूं आंखन की देखी" जो वास्तविकता है वह मैं बता रहा हूं।â€¦(व्यवधान)

श्री शंकर प्रसाद जायसवाल : आप सही कह रहे हैं। आप जो करते हैं, वही बोलते हैं। आपकी वाणी से स्पट हो रहा है कि आप ऐसा ही करते रहे हैं और जो करते हैं, उसी को यहां बता रहे हैं। इस मामले मैं मुझे आपकी तारीफ करनी पड़ेगी।â€¦(व्यवधान)

SHRI SONTOSH MOHAN DEV (SILCHAR): Do not say like that.

MR. CHAIRMAN : Let him reply to that.

डा. रघुवंश प्रसाद सिंह : हमने जो देखा है वहीं बताया है।

उसमें हमारी बात होगी। एक न एक दिन हिन्दुस्तान में लोकतंत्र मजबूत होगा। मेरा कहना है कि गरीब आदमी भी उठेगा। फोर्स रहे या न रहे लेकिन वह बराबरी करेगा। वह वोट डालेगा और आपको पछाड़ेगा। हम लोगों का राज फिर बनेगा।

इन्हीं शब्दों के साथ मैं अपनी बात समाप्त करता हूं।

MR. CHAIRMAN : Dr. Raghuvansh Prasad Singh, are you withdrawing the Bill?

DR. RAGHUVANSH PRASAD SINGH: I beg to move for leave to withdraw the Bill further to amend the Representation of the People Act, 1951.

MR. CHAIRMAN: The question is:

"That leave be granted to withdraw the Bill further to amend the Representation of the People Act, 1951."

The motion was adopted.

श्री रघुवंश प्रसाद सिंह : सभापति महोदय, मैं विधेयक वापिस लेता हूं।

श्री रामदास आठवले (पंढरपुर) : सभापति जी, 20 और 22 नम्बर का आईटम आप कब लेंगे?

â€¦(व्यवधान)

MR. CHAIRMAN: We take items in the order of precedence. Shri Vaiko has been waiting for 13 months. It has now seen the light of the day. His Item No. is 18.

...(*Interruptions*)

17.11 hrs.